

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Michael B. Zemel et al.

Appl. No. 10/827,353

Confirmation No. 2617

Filed: 20 April 2004

For : HIGH CALCIUM FOODSTUFFS FOR
WEIGHT LOSS

Art Unit : 1616

Examiner: Edward J. Webman

Atty. Docket No. 31894-199297

Customer No.

26694

PATENT TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each non-patent reference is attached. It is respectfully requested that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue there from.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits. A fee of \$180 is enclosed.

04/05/2006 SZEWDIE1 00000155 220261 10827353
01 FC:1806 180.00 DA



Please charge any necessary fee or credit any overpayment in connection with this Information Disclosure Statement to Deposit Account No. 22-0261.

Date: 4/3/2006

Respectfully submitted,

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FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/827,353
		Filing Date	20 April 2004
		First Named Inventor	Michael B. Zemel
		Examiner Name	Edward J. Webman
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	1616	
TOTAL AMOUNT OF PAYMENT	(\$) 180.00	Attorney Docket No.	31894-199297

METHOD OF PAYMENT (check all that apply)	
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<input type="checkbox"/> Money Order	<input type="checkbox"/> None
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<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>22-0261</u> Deposit Account Name: <u>Venable LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
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<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

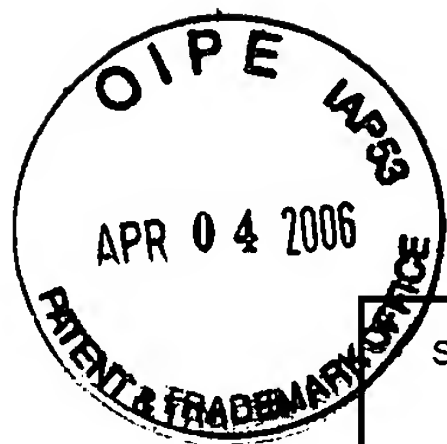
FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
2. EXCESS CLAIM FEES							
<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>					
Each claim over 20 (including Reissues)	50	25					
Each independent claim over 3 (including Reissues)	200	100					
Multiple dependent claims	360	180					
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>			
_____ - 20 or HP	x _____	= _____		<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
HP = highest number of total claims paid for, if greater than 20.							
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>				
_____ - 3 or HP = _____	x _____	= _____					
HP = highest number of total claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
_____ - 100 = _____	/50	(round up to a whole number) x _____	= _____				
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): <u>IDS</u> <u>180.00</u>							

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	31,957
Name (Print/Type)	Michael A. Gollin	Telephone	
		Date	4/4/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/827,353
				Filing Date	20 April 2004
				First Named Inventor	Michael B. Zemel
				Art Unit	1616
				Examiner Name	Edward J. Webman
Sheet	1	of	1	Attorney Docket Number	31894-199297

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	4,027,043	3/31/77	Schroeder et al.	
	AB	6,403,657	6/11/02	Hinz	
	AC	5,158,310	10/27/92	Tannehill et al.	
	AD	6,159,530	12/12/00	Christiansen et al.	
	AE	5,698,222	12/16/97	Mazer et al.	
	AF				
	AG				
	AH				
	AI				
	AJ				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA					
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	HIRSCH, "Got Milk? Getting Thinner?", <i>Express</i> , Tuesday, 19 July 2005, page 10.	
	CB	HERDICK et al., "Carboxylic Ester Antagonists of 1 α ,25-dihydroxyvitamin D ₃ Show Cell-Specific Actions" (Research Paper XP-001069553), <i>Chemistry & Biology</i> 2000, Vol.7 No.11, pp. 885-894.	
	CC		
	CD		
	CE		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
DC2:736440v1

Examiner Signature		Date Considered	
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